IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 609 OF 2005

Shri Sahebrao Sambhaji Jadhav ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Shri Dilip Bodake for the Applicant.
Shri R.Y. Mirza, APP for Respondent -State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 07,2005.

PC :-

. Heard learned counsel for the parties.

. The applicant is presently in government service and is likely to reach superannuation very soon. According to the applicant a false case has been registered against the applicant, in view of the enmity between the applicant and the complainant on account of property dispute. Learned APP is not in position to state whether any preliminary investigation has been made by the concerned investigating officer who in turn is satisfied that the material collected during such investigation warrants arrest of the applicant. In such a situation the appropriate course to my mind is to direct the

investigating officer to give 72 hours advance notice to the applicant in the event that the investigating officer is satisfied on the basis of the material collected by him that the arrest of the applicant was imperative.

. Application is disposed of in the above terms. In the meantime, the applicant shall extend necessary co-operation to the investigating officer as and when called upon.

. Ordered accordingly.

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